

PROB12A1

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

REPORT OF OFFENDER NON-COMPLIANCE

Offender Name: Robert Denson DEOROSAN

Docket Number: 2:02CR00447-01

Offender Address: Rancho Cordova, California

Judicial Officer: Honorable Morrison C. England, Jr.
United States District Judge
Sacramento, California

Original Sentence Date: 07/01/2003

Original Offense: 21 USC 841(a)(1) - Distribution of Cocaine Base (detectable amount) (Counts 1 and 2) (CLASS C FELONIES); 21 USC 841(a)(1) - Distribution of Cocaine Base (at least 5 grams) (Counts 3 and 4) (CLASS B FELONIES); 21 USC 841(a)(1) - Possession With Intent to Distribute Cocaine (detectable amount) (Count 5) (CLASS C FELONY)

Original Sentence: 70 months Bureau of Prisons (Counts 1-5 to run concurrently); 36 months as to Counts 1, 2 and 5 and a term of 48 months as to Counts 3 and 4, to run concurrently for a total of 48 months term of supervised release; \$500 special assessment

Special Conditions: Warrantless search; Drug and alcohol treatment program; Drug and alcohol testing; Mental health treatment program; Co-payment for treatment or testing; Register as a drug offender.

Type of Supervision: Supervised Release

Supervision Commenced: 06/15/2007

Assistant U.S. Attorney: Anne Pings **Telephone:** (916) 554-2700

Defense Attorney: Hayes H. Gable, III **Telephone:** (916) 446-3331

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Other Court Action:

02/12/2007: Petition to Modify the Conditions of Supervision approved: Defendant to reside and participate in a residential community corrections center for up to 120 days as directed.

NON-COMPLIANCE SUMMARY

The purpose of this report is to advise the Court of an alleged violation of the terms of supervision. The Probation Officer has developed a plan to dispose of the alleged non-compliance with action less than revocation, and the Court is requested to approve the plan to address the non-compliance.

- 1. NEW LAW VIOLATIONS: California Vehicle Code Section 14601.1(a) - Driving When Privilege is Suspended or Revoked (Sacramento Superior Court Case Number 2008004109) and California Vehicle Code Section 14601 - Driving When Privilege is Suspended or Revoked for Reckless Driving, Etc. (Docket Number 07TR210752).**

Details of alleged non-compliance: Mr. Deorosan and the mother of his children were in the process of transferring a vehicle from her to him when he was stopped by police, not once, but twice, for not having the proper registration tags on his license plate. After the original traffic stops, the officers determined that Mr. Deorosan's driving license was suspended due to his failure to complete a drunk driving program, as required by the state court for a previous drunk driving conviction. The vehicle in question was towed and he apparently did not claim it. He reports that he will complete the drunk driving class at the end of July of 2008. As a consequence for these two law violations, he served five days sheriff's work project.

Mr. Deorosan has been a very compliant offender. Once released from federal custody, he returned to his previous employment, and he has presented no issues other than a couple of missed drug tests. After being admonished to remember to call the drug testing site daily, he has rectified

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that issue. There is no indications that he is using drugs, quite the contrary, he appears to be making good decisions and is drug free.

United States Probation Officer Plan/Justification: It appears that the state has adequately addressed these violations and since Mr. Deorosan is now completing the required drunk driving program, no further action is requested at this time.

Respectfully submitted,

/s/Lori L. Koehnen
LORI L. KOEHNEN
Senior United States Probation Officer
Telephone: (916) 930-4318

DATED: June 3, 2008
Sacramento, California
LLK/cp


REVIEWED BY: /s/Kyriacos M. Simonidis
KYRIACOS M. SIMONIDIS
Supervising United States Probation Officer

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THE COURT ORDERS:

- (XX) The Court Approves Probation Officer's Plan, and Orders No Further Action Be Taken At This Time.
- () Submit a Request for Modifying the Conditions or Term of Supervision.
- () Submit a Request for Warrant or Summons.
- () Other:

Dated: June 5, 2008



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE

cc: United States Probation
Anne Pings, Assistant United States Attorney
Hayes H. Gable, III, Defense Counsel